



Patent  
45198.00042.RCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**Applicant:** Brett C. Bookser

**Serial No.:** 09/801,933

**Filed:** March 7, 2001

**For: NOVEL ARYL FRUCTOSE-1,6-  
BISPHOSPHATASE INHIBITORS**

)  
) **Group Art Unit:** 1624

)  
) **Examiner:** Thomas C. McKenzie

**TRANSMITTAL LETTER**

Mail Stop Issue Fee  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed are the following documents:

- Issue Fee Part B –Transmittal Form PTOL-85 (in duplicate) (2-pgs.);
- Copy of Second Supplemental Notice of Allowability dated January 6, 2005 indicating extension of final due date to pay issue fee (2 pgs.); and
- Check in the amount of \$1700.00
- Return Postcard.

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

January 20, 2005  
Date of Deposit  
SAN/107015.1

Helen Lynn  
Name of Person Mailing Paper

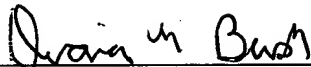
*Helen Lynn*  
Signature of Person Mailing Paper

The Commissioner is authorized to charge any fee required, or to credit any overpayment, to our Deposit Account No. **50-2613**.

Respectfully submitted,

Dated: January 20, 2005

By: \_\_\_\_\_

  
Diana L. Bush, Ph.D., Esq.  
Reg. No. 51,109

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/801,933

03/07/2001

Brett C. Bookser

030727.0042.CIP1

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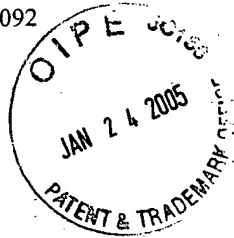
01/06/2005

PAUL, HASTINGS, JANOFSKY & WALKER LLP  
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SAN DIEGO, CA 92191-9092

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JAN 2 2004

Paul Hastings



EXAMINER
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MCKENZIE, THOMAS C

ART UNIT	PAPER NUMBER
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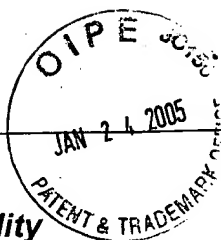
1624

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED	
Date	1/12/15
Action Type	Issue Fee Due
Base Date	10/26/14
Due Date	1/26/15
Final Deadline	
Docket Clerk	TL
Patent Coordinator	
Secretary	

**Second Supplemental  
Notice of Allowability**



Application No.

09/801,933

Examiner

Thomas McKenzie, Ph.D.

Applicant(s)

BOOKSER ET AL.

Art Unit

1624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to printer's rush of 12/3/04.
2. ☒ The allowed claim(s) is/are 1,9-12,15-35,37,39-41,44-48 and 50-70.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Thomas C. McKenzie, Ph.D.  
Primary Examiner  
Art Unit: 1624